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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Zoltan GREFF et al

Patent App. 10/030,436

Filed 21 March 2002

Conf. No. 6522

For 2,3-BENZODIAZEPINE DERIVATIVES

Art Unit 1624

Examiner COLEMAN, B

Hon. Commissioner of Patents  
Box 1451  
Alexandria, VA 22313-1451

COMMUNICATION

Enclosed herewith is the original executed Declaration  
Under 37 CFR 1.132 together with the Curriculum Vitae of  
Dr. Laszlo Gabor Harsing.

Respectfully submitted,  
The Firm of Karl F. Ross P.C.

  
Jonathan Myers, Reg. No. 26,963  
Attorney for Applicant

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Curriculum Vitae



THE U.S. PATENT AND TRADEMARK OFFICE

Inventor            Zoltan GREFF et al  
Patent App.        10/030,436  
Filed               21 March 2002                    Conf. No. 6522  
For                 2,3-BENZODIAZEPINE DERIVATIVES  
Art Unit            1624                            Examiner COLEMAN, B

Hon. Commissioner of Patents  
Box 1450  
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.132

I, Laszlo G. Harsing, a citizen of Hungary, residing at 116  
Bokenyfoldi út, 1165 Budapest, Hungary, declare as follows:

THAT I have a number of years of experience in the  
preparation and testing of pharmaceutically active compounds  
in the treatment of neurodegenerative disorders;

THAT my full curriculum vitae may be attached thereto;

THAT I am an Applicant in U.S. Patent Application Serial  
No. 10/030,436 filed 21 March 2002 and directed to 2,3-  
BENZODIAZEPINE DERIVATIVES;

THAT in order to establish that the present application  
enables one „skilled in the art” to use the compounds of the  
Formula (I) to treat Parkinson's disease and multiple  
sclerosis in mammals, including humans, I have either  
personally conducted or supervised the carrying out of the  
following tests:

## 1 Effects of AMPA antagonists in an animal model of Parkinson's disease

The clinical rating scale of Parkinson's disease consists of several measures of parkinsonian features (tremor, posture, catalepsy, bradykinesia, gait, balance and defense reaction). The rodent model of Parkinson's disease used was a drug-induced monoamine-depletion, which reduces striatal dopamine content by about 95%, and produces a cataleptic effect, which is also a characteristic of human Parkinson's disease (Cooper DR. et al. (1987) L-dopa esters as potential pro-drugs: behavioral activity in experimental models in Parkinson's disease. J. Pharm. Pharmacol. 39, 627-635).

### 1.1. Methods

Male Wistar rats weighing 210-225 g were depleted of brain monoamine by pretreatment with reserpine (5 mg/kg in 2 ml/kg volume, intraperitoneally) 1 hour before the experiment. Then, 1 hour later, 3 dose levels (2.5 mg/kg, 5 mg/kg, 10 mg/kg in 5 ml/kg volume orally for the Compound of Example 27 { (+)-5-(3-methyl-4-aminophenyl)-7,8-dihydro-8-methyl-7-acetyl-9H-1,3-dioxolo[4,5-h][2,3]benzodiazepine} and 3.75 mg/kg, 7 mg/kg and 15 mg/kg for bromocriptine) of test or reference substance were administered to separate groups of rats and an additional group was treated with vehicle. Each experiment group consisted of 8 rats. Catalepsy was evaluated with a 12 cm long and 10 cm high horizontal bar at every hour for 5 hours. Each rat was tested with respect to its behavior on the bar. The rat gained a „+“ score if it maintained the abnormal (postural) position for more than 30 seconds. In case catalepsy was reduced by more than 50% in any of the treated groups compared the reserpine+vehicle treated group, an ED<sub>50</sub> was calculated using the method of Litchfield and Wilcoxon.

## 1.2. Results

According to results presented in Table 1 below, the compound of Example 27 of the present Patent Application reduced reserpine-induced catalepsy with similar efficacy to bromocriptine. The results suggest that compounds of Formula (I) of the present invention can be suitable for the treatment of Parkinson's disease. This suggestion is strengthened by previous publications which clearly demonstrated that non-competitive AMPA receptor antagonists had strong antiparkinsonian effect in a primate model of the disease (Konitsiotis, S. et al. (2000) AMPA receptor blockade improves levodopa-induced dyskinesia in MPTP monkeys. Neurology 54, 1589-1595).

Table 1

Antiparkinsonian effect of AMPA antagonists as assessed by improvement of reserpine-induced catalepsy in rats

Compound	ED <sub>50</sub> (mg/kg p.o.)
Bromocriptine (reference compound)	3.0
Compound of Example 27	4.4

## 2 Protection against inflammation induced by experimental autoimmune encephalomyelitis (EAE) in rats

Multiple sclerosis is an autoimmune disease of the central nervous system that results in progressive fall of sensory and motor functions due to destruction of the myelin sheath of axons leading to neuronal death. It has been clearly shown that glutamate receptors including AMPA receptors are present in oligodendrocytes and these cells are highly sensitive to glutamate-induced excitotoxicity (Matute, C. et al. (2001) The link between excitotoxic oligodendroglial death and

demyelinating diseases. Trends Neurosci. 24, 224-230).

Experimental autoimmune encephalomyelitis (EAE) can be induced in laboratory animals by treating them with basic myeloprotein or its fragments carrying the antigen moiety. EAE mimics the basic characteristics of the human disease and can be regarded as an acceptable model of multiple sclerosis (Smith, T et al.: (2000) Autoimmune encephalomyelitis ameliorated by AMPA antagonists. Nat. Med. 6, 62-66).

## 2.1 Methods

The experiments were performed according to the slightly modified method of Smith and al (Smith, T et al. (2000) Autoimmune encephalomyelitis ameliorated by AMPA antagonists. Nat. Med. 6, 62-66). Lewis rats (230-270 g, Charles River Hungary) were immunized subcutaneously in the dorsal surface of each hind paw with 50 µl inoculum containing 100 µg of guinea pig myelin basic protein that was emulsified in Freund's complete adjuvant containing 5.5 mg/ml Mycobacterium tuberculosis H37a (Difco). The compounds were administered intraperitoneally twice a day for 7 days starting on the day 10 after immunization. The dose of the compound of Example 28 {(±)-5-(3-methyl-4-aminophenyl)-7,8-dihydro-8-methyl-7-propionyl-9H-1,3-dioxolo[4,5-h][2,3]benzodiazepine} was 3 mg/kg i.p. twice a day and the dose of the reference compound {(±)-7-acetyl-5-(4-aminophenyl)-7,8-dihydro-8-methyl-9H-1,3-methylenedioxy[4,5-h][2,3]benzodiazepine, GYKI53405} was 10 mg/kg i.p. twice a day. On day 17 the rats were anesthetized with sodium pentobarbital at 60 mg/kg i.p. and perfused via the heart with a fixative solution containing 4% paraformaldehyde and 0.5% glutaraldehyde in phosphate-buffered saline. Samples were embedded in paraffin. Transversal sections ( 6 µm thick) of the lumbar spinal cord and telencephalon were cut and stained with Luxol Fast Blue (LFB).

## 2.2. Results

Key histological features of experimental autoimmune encephalomyelitis were multifocal perivascular inflammation in the medulla and spinal cord, gliosis, demyelination and necrotic or apoptotic degeneration of glial cells or neurons. According to results presented in Table 2 below, compound of Example 28 fully prevented all inflammatory consequences of experimental autoimmune encephalomyelitis in rats. GYKI53405, the reference compound afforded smaller protection under the same experimental conditions. These results clearly suggest that compounds of Formula (I) of the present invention can be suitable in the treatment of multiple sclerosis which possibly is in keeping with observations demonstrating a beneficial effect of non-competitive AMPA antagonists in animal models of multiple sclerosis (Smith, T et al.: (2000) Autoimmune encephalomyelitis ameliorated by AMPA antagonists. Nat. Med. 6, 62-66).

Table 2

Improvement of histological signs of experimental autoimmune encephalomyelitis by treatment with AMPA receptor antagonists in rats

Histological findings	Control		GYKI53405		Compound of Example 28	
	Mean score	Rate	Mean score	Rate	Mean score	Rate
<b>Medulla oblongata</b>						
multifocal perivascular inflammation in the medulla	2.0	6/6	0.2	1/5	0.0	0/5
gliosis	2.0	5/6	0.2	1/5	0.0	0/5
necrotic/apoptotic cells (glial cells and/or neurons)	0.7	3/6	0.0	0/5	0.0	0/5
<b>Spinal cord</b>						
multifocal perivascular inflammation	2.2	6/6	0.8	2/5	0.0	0/5
demyelinisation	1.5	6/6	0.8	2/5	0.0	0/5
gliosis	1.8	6/6	0.8	2/5	0.0	0/5
necrotic/apoptotic cells (glial cells and/or neurons)	2.0	6/6	0.4	2/5	0.0	0/5
<b>Nerves</b>						
demyelinisation	1.8	5/5	0.0	0/3	0.0	0/5
glial destruction	1.8	5/5	0.0	0/3	0.0	0/5

THAT based upon the experimental data presented above, I conclude the following:

The compounds of the Formula (I) of the present invention are non-competitive AMPA antagonists. Experimental results obtained from animal model experiments indicate that compounds of the present invention possess strong neuroprotective effect, which is useful in the treatment of conditions and diseases of the central nervous system. Besides their effect in animal models of epilepsy, stroke, amyotrophic lateral sclerosis and cystic periventricular leukomalacia, the compounds according to the present invention demonstrate activity in animal models of Parkinson's disease and multiple

sclerosis as well. All these activity of the compounds of Formula (I) of the present invention are believed to be resulting from AMPA receptor antagonism. The mechanism whereby AMPA receptor antagonists prevent neuronal cell death in disorders of very different etiology is the inhibition of glutamate-induced excitotoxicity, which is a major mechanism leading to apoptosis and necrosis of nerve cells.

The experimental data presented hereinabove provide support for the establishment of utility of the compounds according to the present invention in neurodegenerative disorders.

In summary, the compounds of the Formula (I) according to the present invention have suprisingly advantageous pharmacokinetic and metabolic properties which result in a preferable pharmacological and toxicological profile.

THAT I am aware of no information inconsistent with that presented above or which would lead one to a contrary conclusion;

and

I further declare that all statements made herein of my own are true and that all statements made on information and belief are believed to be true; and further

THAT these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issues thereon.

Dated: June 1, 2005 Signed: Laszlo G. Harsing

Laszlo G Harsing, MD, PhD, DSc



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## CURRICULUM VITAE

Name: Dr. Laszlo Gabor Harsing

Date and Place of Birth: September 9, 1947, Budapest, Hungary

Citizenship: Hungarian

### Marital Status

Married, Elizabeth Veinperl-Harsing  
Pharmacist

### Present Employment

Vice Director, Head of Division  
Division of Preclinical Research  
EGIS Pharmaceuticals Ltd

### Education

1966: Graduated from secondary school

1972: Medical degree obtained with qualification of "Summa cum Laude" at the Semmelweis Medical School, Budapest

1984: Ph.D. degree obtained in neuropharmacology  
Thesis: Regulation of Cholinergic Neurotransmission in the Striatum  
Hungarian Academy of Sciences, Budapest

1992: Doctor of Sciences (D.Sc.) degree obtained in neuropharmacology  
Thesis: The Role of Heterogenous Alpha-2 Adrenoceptors in the Regulation of Noradrenergic Neurotransmission  
Hungarian Academy of Sciences, Budapest

1994: Lecturer in Pharmacology, degree obtained at the Department of Pharmacology, Semmelweis Medical School, Budapest

### Employment in Hungary

1968-1972: Teacher in Physiology, Department of Physiology, Semmelweis Medical School, Budapest

1972-1981: Assistant Professor of Pharmacology, Department of Pharmacology, Semmelweis Medical School, Budapest

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1981-1986: Research Fellow and Senior Research Fellow, Department of Pharmacology,  
Institute of Experimental Medicine, Hungarian Academy of Sciences, Budapest

1986-1995: Associate Professor of Pharmacology, Department of Pharmacology  
Postgraduate Medical School, Budapest

1992-2000: Head, Department of Neurobiochemistry  
Vice Director of Biological Research  
Institute for Drug Research, Ltd., Budapest

2000-at present: Vice Director and Head  
Division of Preclinical Research  
EGIS Pharmaceuticals Ltd

#### Employment in the United States of America

1980-1981: Visiting Scientist, Fogarty International Fellowship, Laboratory of Preclinical  
Pharmacology, National Institute of Mental Health, Washington,  
D. C., USA, Head: Dr. Erminio Costa, 20 months

1984-1985: Visiting Fellow, Department of Anesthesiology, Albert Einstein College of  
Medicine, New York, NY, USA, Head: Dr. Derick D. Duncalf, 13 months

1989-1992: Research Scientist, Center for Neurochemistry, The Nathan S. Kline Institute  
for Psychiatric Research, Rockland Psychiatric Center, Orangeburg, NY, USA, Head:  
Dr. Abel Lajtha, 36 months

1995-1996: Visiting Research Scientist, Fogarty International Fellowship, Department of  
Neuroscience, University of Pittsburgh, Pittsburgh, PA, USA, Head: Dr. Michael J.  
Zigmond, 20 months

#### Short-Term Fellowships

1975: Department of Pharmacology, 1st Medical University, Moscow, USSR

1976: Institute of Physiology, Bulgarian Academy of Sciences, Sofia, Bulgaria

1977: Institute of Pharmacology, Polish Academy of Sciences, Cracow, Poland

1982: National Institute of Mental Health, Washington, D.C., USA

1987 Department of Pharmacology, University of Geneva, Geneva, Switzerland

1988 Universidad Central de Venezuela, Caracas, Venezuela

1993 Nathan Kline Institute for Psychiatric Research, Orangeburg, NY, USA

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1998 Department of Neurology, University of Pittsburgh, Pittsburgh, PA, USA

#### Research Activity

Publications in journals: 93

Chapters published in textbooks: 37

Abstracts appeared in journals: 26

Abstracts presented in scientific meetings: 95

Number of citation: 1170, January 2003

Cumulative impact factor of publications: 206.470, January, 2003

#### Teaching Experience

1970-1972: Teaching of physiology for medical students

1972-at present: Teaching of pharmacology for medical students and in postgraduate courses

#### Research Interest

Pharmacology, Neuropharmacology, Neurochemistry, Neurotransmitter release and interactions, Pharmacology of Transporters

#### Experimental Procedures Employed

Brain slice techniques, Isolated organs, Microdialysis and HPLC analysis, Measurement of radiolabeled and endogenous neurotransmitter release

#### Membership

Society for Neuroscience, USA

British Pharmacological Society

European Society for Neurochemistry

Hungarian Pharmacological Society

Hungarian Physiological Society

#### Journal Editorial Advisory Board, Member at

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Honour  
Bela Issekutz Lecture and Medal  
Budapest, 2001

Reference  
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Dr. Laszlo G. Harsing, Jr.

## LIST OF PUBLICATIONS

## 1. RESEARCH ARTICLES

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2. Kover, G., Harsing, L. G., Harsing, L.: Effect of elevated renal venous pressure on intrarenal haemodynamics. *Acta Physiol. Hung.*, 1974, 45, 173-180.
3. Knoll, J., Makleit, S., Friedmann, T., Harsing, L. G., Jr., Hadhazy, P.: Circulatory, respiratory and antitussive effects of azidomorphine and related substances. *Arch. Internat. Pharmacodyn.*, 1974, 210, 241-249.
4. Knoll, J., Makleit, S., Friedmann, T., Hársing, L. G., Hadházy, P.: Az azidomorfin és származékainak hatása a keringésre, légzésre és köhögésre. *Orvostudomány*, 1975, 26, 89-95.
5. Harsing, L. G., Jr., Bartha, J., Harsing, L.: Effect of carotid occlusion on intrarenal haemodynamics. *Acta Medica Hung.* 1976, 33, 371-378.
6. Knoll, J., Hársing, L. G., Friedmann, T.: A 3-éter-6-azidomorfinok farmakológiája. Az azidoetilmorfin egy új köhögéscsillapító szelektálása. *Orvostudomány*, 1976, 27, 263-284.
7. Knoll, J., Harsing, L. G., Jr., Friedmann, T.: Azidoethylmorphine, a new potent non-narcotic oral antitussive. *Acta Physiol. Hung.*, 1977, 50, 341-356.
8. Vizi, E. S., Ronai, A. Z., Harsing, L. G., Jr., Knoll, J.: Inhibitory effect of dopamine on acetylcholine release from caudate nucleus. *Pol. J. Pharmacol. Pharmac.*, 1977, 29, 201-211.
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met5-enkephalin and beta-endorphin hypothalamic content in rats receiving anorectic drugs: differences between d-fenfluramine and d-amphetamine. *Neuropharmacology*, 1982, 21, 141-145.

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3H-norepinephrine controlled by endogenous acetylcholine in guinea pig atrium. *J. Neural Transmission*, 1989, 76, 169-180.

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## 6. INVITED LECTURES

1. Dr. E. Costa, Laboratory of Preclinical Pharmacology, National Institute of Mental Health: Conversion of Arg6-Phe7-Met5-enkephalin to Met5-enkephalin in isolated organs.

87. Csillik-Perczel, V., Harsing LG, Jr.: The role of alpha2 adrenoceptor subtypes in the regulation of micturition reflex in the rat Washington, D. C., 1982.

2. Measurement of acetylcholine release from brain slices. Technique of Bioassay. Pjõng Yang-i Orvostudományi Egyetem, Pjõng Yang, 1984.

3. Dr. J.-P. Schwartz, Department of Pharmacology, University of Geneva, Medical School. Alpha-2 autoreceptors, alpha-2 antagonists and noradrenergic neurotransmission. Geneva, 1987.

4. Dr. H. A. Campos, Universidad Central de Venezuela Fac. de Medocon, Caracas: The pharmacology of berbanes, a new group of alpha-2 adrenoceptor antagonists. Caracas, 1988.

5. Dr. Abel Lajtha, Center for Neurochemistry, Nathan Kline Institute for Psychiatric Resesarch, Orangeburg, NY, USA: Neurotransmitter pools in dopaminergic nerve terminals and their role in actions of drugs. Orangeburg, NY, 1993.

6. A Magyar Farmakológiai Társaság Experimentális Farmakológiai Szekció rendezésében: Neuronális transmitter raktárak, gyógyszerekkel történő befolyásolhatóság. Magyar Tudományos Akadémia, Kísérleti Orvostudományi Kutató Intézet, Budapest, 1993.

7. Dr. M. J. Zigmond, Department of Neuroscience, University of Pittsburgh: The use of complex brain slices in investigating basal ganglia neurotransmission. Pittsburgh, PA 1995.

8. Harsing, L. G.: Új eredmények az  $\alpha$  adrenerg receptorok kutatásában, Budapest, 1999.

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10. Harsing, L. G., Jr., Gacsalyi, I., Levay, G., Schmidt, E., Matyus, P., Sebban, C., Spedding, M.: Some pharmacological effects of glycine transporter (GlyT1) inhibitors. 35th Annual Winter Conference of Brain Research, Snowmass Village, CO, 2002.

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